



**ROBERT J. VAN DER WALL
GABLES ONE TOWER
1320 SOUTH DIXIE HIGHWAY
SUITE 1275
CORAL GABLES FL 33146-2926**

COPY MAILED

JUL 20 2005

OFFICE OF PETITIONS

In re Application of
Cali St. John
Application No. 09/637,242
Filed: August 14, 2000
Attorney Docket No. 946-5

:
:
:
:
:

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 9, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The two-month period for filing the Appeal Brief under 37 CFR 41.37(a)(1), accompanied by the fee set forth in 37 CFR 41.20(b)(2), runs from the date of this decision.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$510 extension of time submitted with the petition on May 9, 2005 was subsequent to the maximum extendable period for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 1733.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy